

In the United States District Court of Delaware

Harry Samuel

v.

C.A. No. 05-037-SLR

Thomas Carroll (warden)
and et al
Dental Service

FILED
BD scanned
MAR 29 2006
U.S. DISTRICT COURT
DISTRICT OF DELAWARE

RE: Plaintiff response to Defendant Correctional medical Services in regard to Default Motion and Plaintiff Amended Complaint.

Plaintiff Samuel, Submit to the U.S. District Court that as a whole the Plaintiff was denied Dental Service for a year. where the Plaintiff had discomfort and further damage to the tooth. ~~and can not have it treated~~ The Plaintiff had to try to eat on the other side of Plaintiff mouth because of the discomfort and the risk that the tooth would crack and expose the tooth nerve. The Plaintiff Submit that the Plaintiff is a person placed in the care of the Department of Corrections therefore the Plaintiff has no choice in choosing a private Corporation for Dental service. Therefore the Plaintiff Exhaust administrative remedies by putting in a sick call. The Plaintiff was Denied treatment at sick Call. Thereafter Plaintiff Exhausted a Medical Grievance the Plaintiff was denied treatment at the Medical Grievance level there after the Plaintiff appealed. The appeal was approved 2-15-05. But Plaintiff had to wait 7 month after the appeal was granted for treatment (see Exhibit 22 Medical Grievance Page 7 of 7 at bottom of Page appeal APPROVED). The Plaintiff was Placed on the waiting list for over 7 months once Correctional medical Services became the Providers the Plaintiff was denied treatment for 2 months. Therefore the Designated Dental Service is correct as a whole and because of a timely filed Amended Complaint which identifies Correctional medical services for 2 months.

Conclusion:

The Plaintiff request that the Plaintiff Default MOTION be Granted. and the Plaintiff request that the Plaintiff Amended Complaint be Granted.

Date 3-27-06

Harry L. Samuel Pro Se

All handwritten documents that the Defendant felt was relevant to Plaintiff Claim the substance is entirely clear (See Defendant Exhibit entries of relevant document submitted to Court Exhibits A to E. Defendant made no request for a Clear Document.

Certificate of Service

I, Harry Samuel, hereby certify that I have served a true and correct cop(ies) of the attached: Plaintiff response to Correctional Medical in regard to Default Motion and amended Complaint. Date 3-27-06. upon the following parties/person(s):
Opposing counsel(s)

TO: Kevin J. Connors
1220 North Market St. 5, FL.
P. O. BOX 8888
Wilmington, Delaware
19899 - 8888
Correctional medical service

TO: _____

TO: Ophelia M. Waters
Deputy Attorney General
820 North French St. 6th, FL.
Wilmington, De.
19801

TO: _____

BY PLACING SAME IN A SEALED ENVELOPE and depositing same in the United States Mail at the Delaware Correctional Center, 1181 Paddock Road, Smyrna, DE 19977.

On this 27th day of March, 2006

Harry L. Samuel
Pro Se



IM Harry Samuel
SBI# 201360 UNIT 23,C,1, U
DELAWARE CORRECTIONAL CENTER
1181 PADDOCK ROAD
SMYRNA, DELAWARE 19977

To. Office of the Clerk
United States District
844 N. King Street, Lockbox 18
Wilmington, Delaware
19801 - 3570

U.S.M.S.
X-RAY

AUGUST 2005 10:00 AM 2005